

REMARKS

Claims 15-36 are currently pending in this application, with Claims 15, 22, 25, 30, and 34 being independent in form. As indicated above, Claims 15, 19, 22, 25, 30, and 34 are amended.

In the Office Action, Claims 15-36 are rejected under 35 U.S.C. §102(e) as being anticipated by *Baum et al.* (U.S. 2004/0190482).

Regarding the §102(e) rejection of independent Claims 15, 22, 25, 30, and 34, the Examiner asserts that *Baum* explicitly teaches all the recitations of these claims. Applicants respectfully disagree.

Baum is directed to a downlink frame that is divided into similar sized resource blocks with each co-channel sector scheduled to transmit from the beginning of its respective assigned resource block. Transmissions to remote units within the particular sector will occur only within the particular resource block, up to a point where all N resource units have been utilized. Beyond that point, additional transmissions are scheduled to be transmitted at the end of the resource blocks assigned to the other sectors.

Regarding independent Claims 15, 22, and 30, these claims recite, among other things, that information on the number of unit resources corresponding to each of the plurality of bursts is added to a MAP, which is then transmitted. The Examiner cites paragraph [0030] and the Abstract of *Baum* as allegedly teaching this recitations, specifically noting that “*Baum* discloses each resource block will be provided N resource units.” For ease of comparison paragraph [0030] reads as follows:

[0030] Even though each resource block may have a different size, for simplicity of description each resource block will be provided N resource units. Also, for simplicity of description, the entire frame is divided into resource units, however, as will be come evident below, the whole frame need not be broken up into resource blocks. In general, some additional portions of the frame may also be present (e.g., synchronization information, etc.)

As can be seen above, although *Baum* teaches that resource block will be provided N resource units, as asserted by the Examiner, this does not read on the recitations of independent Claims 15, 22, and 30, i.e., that that information on the number of unit resources corresponding to each of the plurality of bursts is added to a MAP, which is then transmitted. There is nothing in this cited section or any other section of *Baum* that teaches adding information on the number of unit resources corresponding to each of the plurality of bursts to a MAP, and then transmitting the MAP.

Additionally, paragraphs [0031] and [0033] of *Baum* recite that each sector within communication system 100 is assigned a particular resource block, and that one may equate a resource unit with a transmission to a particular mobile unit. That is, *Baum* merely teaches that a base station assigns one resource block to each sector and assigns one resource unit to the transmission for each mobile unit (i.e., each subscriber station) in each sector. As such, according to *Baum*, because one resource unit among a plurality of resource units included in the resource block is assigned to the mobile unit, the mobile unit does not need to know the number of resource units included in the resource block. In addition, because the resource block of *Baum* is only assigned to the sector, the base station does not need to provide information on the resource block to the mobile unit. Accordingly, *Baum* does not teach that a base station

transmits a MAP including information on a number of unit resources corresponding to each of the plurality of bursts to the subscriber station.

Further, independent Claim 22 also recites adding a user identification corresponding to each of the plurality of bursts to the MAP. However, the Examiner fails to address this recitation of Claim 22, as the Examiner rejects independent Claims 15 and 22 together, only addressing the recitations of Claims 15. Accordingly, in addition to the reasoning provided above, it is respectfully submitted that the Examiner has failed to make a *prima facie* rejection of Claim 22, as the Examiner has not addressed all the recitations of this claim.

Additionally, independent Claim 30 further recites inserting the MAP into a frame and then transmitting the frame. The Examiner cites the Abstract of *Baum* as allegedly teaching this recitation of independent Claim 30. However, Applicants can find nothing in the Abstract of *Baum* the even mentions a MAP, or inserting a MAP into a frame and then transmitting the frame.

MPEP §2131 Anticipation, clearly states that to anticipate a claim, the reference must teach every element of the claim. In addition, The United States Court of Appeals for the Federal Circuit has consistently held “that unless a reference discloses within the four corners of the document not only all of the limitations claimed but also all of the limitations arranged or combined in the same way as recited in the claim, it cannot be said to prove prior invention of the thing claimed and, thus, cannot anticipate under 35 U.S.C. § 102.” *Net Moneyin, Inc., v. Verisign, Inc.*, 545 F.3d 1359 (Fed. Cir. 2008). As shown above, *Baum* does not disclose within the four corners of the document all of the limitations claimed, nor does *Baum* disclose all of the limitations arranged or combined in the same way as recited in each of independent Claims 15, 22, and 30.

Therefore, based at least on the foregoing, it is respectfully submitted that independent Claims 15, 22, and 30 are not anticipated by *Baum*. Accordingly, withdrawal of the §102(e) rejection of Claims 15, 22, and 30 is respectfully requested.

Regarding the §102(e) rejection of independent Claim 25, this claim is not anticipated by *Baum*. Claim 25 recites, among other things, a MAP including information on the number of unit resources corresponding to each of the plurality of bursts. The Examiner again cites paragraph [0030] as allegedly teaching this recitation of Claim 25. However, as shown above, there is nothing in paragraph [0030] that even mentions a MAP, nor is there anything that could reasonably be construed as teaching a MAP including information on the number of unit resources corresponding to each of the plurality of bursts. Paragraph [0030] merely teaches that each resource block will be provided N resource units. Accordingly, *Baum* does not disclose within the four corners of the document all of the limitations claimed, nor does *Baum* disclose all of the limitations arranged or combined in the same way as recited in independent Claim 25.

Therefore, based at least on the foregoing, it is respectfully submitted that independent Claim 25 is anticipated by *Baum*. Accordingly, withdrawal of the §102(e) rejection of Claim 25 is respectfully requested.

Regarding the §102(e) rejection of independent Claim 34, this claim is not anticipated by *Baum*. Claim 34 recites, among other things, searching information on a designated burst in a common control block; checking the number of unit resources allocated to the designated burst from the information on the designated burst; searching the designated burst according to the number of unit resources to receive the designated burst; and terminating the receiving operation when the designated burst is received. The Examiner cites the Abstract, FIG. 4, and paragraph

[0029] as allegedly teaching “searching information on a designated burst in a common control block,” stating that “*Baum* discloses dividing a downlink frame into a plurality of resource blocks.” Further, the Examiner cites FIG. 14. However, none of these cited sections teach “searching information on a designated burst in a common control block.” Further, FIG. 4 illustrates a downlink frame structure, and FIG. 14 illustrates an OFDM time-frequency grid and a time-frequency element (TFE) consisting of K subcarriers and L time intervals. There is nothing in the description of either of these figures that teaches “searching information on a designated burst in a common control block,” as recited in independent Claim 34.

Additionally, the Examiner again cites paragraph [0030] as allegedly teaching checking the number of unit resources allocated to the designated burst from the information on the designated burst, and searching the designated burst according the number of unit resources to receive the designated burst. However, as shown above, there is nothing in paragraph [0030] that could reasonably be construed as teaching checking the number of unit resources allocated to the designated burst from the information on the designated burst, and searching the designated burst according the number of unit resources to receive the designated burst. Paragraph [0030] merely teaches that each resource block will be provided N resource units.

Finally, the Examiner cites the Abstract of *Baum* as allegedly teaching “terminating the receiving operation when the designated burst is received.” However, the Abstract of *Baum* fails to make any reference to terminating any operation, nor does it teach “terminating the receiving operation when the designated burst is received,” as recited in independent Claim 34


Accordingly, *Baum* does not disclose within the four corners of the document all of the limitations claimed, nor does *Baum* disclose all of the limitations arranged or combined in the same way as recited in independent Claim 34.

Therefore, based at least on the foregoing, it is respectfully submitted that independent Claim 34 is anticipated by *Baum*. Accordingly, withdrawal of the §102(e) rejection of Claim 34 is respectfully requested.

Claims 16-21, 23, 24, 26-29, 31-33, 35, and 36 are dependent claims, and are believed to be in condition for allowance for at least the reasons given above with regard to their respective independent Claims 15, 22, 25, 30, and 34.

Accordingly, all of the claims pending in the Application, namely, Claims 15-36, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



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